REMARKS

This Amendment is submitted in response to the Office Action dated June 29, 2004, having a shortened statutory period set to expire September 29, 2004. In the present Amendment, Claim 15 is now added. Claims 8-11 are now pending.

Rejection Under Double Patenting

In the present Office Action, Claims 8-11 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 2-5 of U.S. Patent No. 6,314,521. Attached is a terminal disclaimer filed herewith in compliance with 37 CFR 1.321(c). Thus, Applicant respectfully requests that this rejection be withdrawn.

Claim Rejection Under 35 U.S.C. § 102

In the present Office Action, Claim 8 is rejected under 35 U.S.C. § 102(b) as being anticipated by *Matyas, et al.* (U.S. Patent No. 5,164,988 – "*Matyas*"). After careful consideration of Examiner's remarks, Applicant respectfully submits that Claim 8, as now amended, is not rendered unpatentable in view of *Matyas* and respectfully traverses Examiner's rejection in view of the arguments submitted herein.

As the Examiner states in section two of the present Office Action, *Matyas* does disclose a network device with a unique ID and a private key embodied within the device, wherein the device makes a request to a certification center to receive a digital certificate. However, nothing in *Matyas* teaches nor suggests a "means for receiving a digital certificate if after decryption of said second part of the message, said second part of the message matches said first part of the message." This feature of the present invention receives the digital certificate in response to an outside source: (1) decrypting of the second part of the two-part message; (2) comparing of the first part of the message with the now-decrypted second part of the two-part message; and (3) finding that the first part of the message matches the second part of the message (Specification, page 21, line 10 to page 22, line 9).

Claim Rejection Under 35 U.S.C. § 103

In the present Office Action, Claims 9-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Matyas, et al.* (U.S. Patent No. 5,164,988 – *"Matyas"*) and further in view of *Davis, et al.* (U.S. Patent No. 5,633,935 – *"Davis"*). Additionally, Claim 11 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Matyas* and further in view of *Davis* and *Gormish, et al.* (U.S. Patent No. 5,692,048 – *"Gormish"*).

With respect to Claim 9, *Davis* does disclose an apparatus for authenticating a printing device. *Davis* also discloses the certification of a printing node (col. 1, lines 39-45) on a secure network system by a certifying authority (col. 4, lines 23-38). However, as indicated above in the discussion concerning Claim 8, nothing in *Matyas* and now *Davis*, teaches nor suggests the apparatus (a printer, as indicated in Claim 9) for receiving a digital certificate *in response to the successful decryption and comparison of the information of the two-part message,* as recited in Claims 8 and 9.

Regarding Claim 10, *Davis* defines "printing node" as including a "facsimile machine" (col. 1, lines 39-45). However, the mere mention of a facsimile machine in *Davis* with the combination of the apparatus recited in *Matyas* does not teach nor suggest the apparatus (a fax machine, as indicated in Claim 10) for receiving a digital certificate *in response to the successful decryption and comparison of the information of the two-part* message, as indicated in Claims 8 and 10.

Additionally, Claim 11 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Matyas* and further in view of *Davis* and *Gormish, et al.* (U.S. Patent No. 5,692,048 – *"Gormish"*).

While *Gormish* does specifically disclose a communications network utilizing a fax modem to securely transmit certified information (col. 4, lines 33-36), the combination of *Gormish, Davis,* and *Matyas* does not teach nor suggest the key feature in Applicant's present

invention: the apparatus (a modem, as indicated in Claim 11) for receiving a digital certificate *in response to the successful decryption and comparison of the information of the two-part* message, as indicated in Claims 8 and 11.
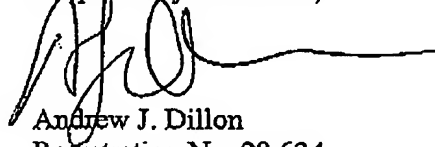
Newly-added Claim

Regarding newly-added Claim 15, Applicant includes a dependent claim further describing an additional feature (a public key and an encrypted new private key) of the digital certificate referenced in Claim 8.

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CONCLUSION

Having amended the now pending claims, Applicant respectfully requests a Notice of Allowance for all pending claims.

No extension of time for this response is believed to be necessary. However, in the event an extension of time is required, that extension of time is hereby requested. Please charge any fee associated with an extension of time as well as any other fee necessary to further the prosecution of this application to **IBM CORPORATION DEPOSIT ACCOUNT No. 50-0563.**

Respectfully submitted,

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